

(b) *Review of initial rents.* Before calculating the amount of any retroactive payment, the PHA, if directed by HUD, will review whether rents were excessive when initially set.

(c) *Physical condition of projects.* If the most recent physical inspection report by the PHA shows significant deficiencies that have not been addressed to the satisfaction of the PHA by the date the retroactive payment is deposited into the project account, the payment will not be made available until the deficiencies are resolved or a plan for their resolution has been approved by the PHA.

#### **§ 888.420 One-time Contract Rent determination.**

(a) *Determining the amount of the new Contract Rent.* Project owners eligible for retroactive payments, as described in § 888.401(c), may request a one-time Contract Rent determination, to be effective as described in paragraph (c) of this section. The request for a one-time rent determination must be made when submitting a request for retroactive payments, as described in § 888.415. If no claim for retroactive payments is made, an owner may submit only the request for a one-time rent determination, provided the owner is eligible for retroactive payments. The new Contract Rent under this provision will be the greater of:

(1) The Contract Rent currently approved by the PHA; or

(2) An amount equal to the Contract Rent as adjusted to May 31, 1991 under § 888.405(a).

(b) *Currently approved rent.* The Contract Rent currently approved by the PHA is the Contract Rent stated in the most recent amendment to the HAP Contract signed by both the PHA and the owner.

(c) *Effective date of new Contract Rent.* The new Contract Rent, determined under paragraph (a) of this section, will be effective on May 31, 1991.

(Approved by the Office of Management and Budget under control number 2502-0042)

## **PART 891—SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES**

### **Subpart A—General Program Requirements**

- Sec.
- 891.100 Purpose and policy.
  - 891.105 Definitions.
  - 891.110 Allocation of authority.
  - 891.115 Notice of funding availability.
  - 891.120 Project design and cost standards.
  - 891.125 Site and neighborhood standards.
  - 891.130 Prohibited relationships.
  - 891.135 Amount and terms of capital advances.
  - 891.140 Development cost limits.
  - 891.145 Owner deposit (Minimum Capital Investment).
  - 891.150 Operating cost standards.
  - 891.155 Other Federal requirements.
  - 891.160 Audit requirements.
  - 891.165 Duration of capital advance.
  - 891.170 Repayment of capital advance.
  - 891.175 Technical assistance.
  - 891.180 Physical condition standards; physical inspection requirements.
  - 891.185 Preemption of rent control laws.

### **Subpart B—Section 202 Supportive Housing for the Elderly**

- 891.200 Applicability.
- 891.205 Definitions.
- 891.210 Special project standards.
- 891.215 Limits on number of units.
- 891.220 Prohibited facilities.
- 891.225 Provision of services.
- 891.230 Selection preferences.

### **Subpart C—Section 811 Supportive Housing for Persons With Disabilities**

- 891.300 Applicability.
- 891.305 Definitions.
- 891.310 Special project standards.
- 891.315 Prohibited facilities.
- 891.320 Site and neighborhood standards.
- 891.325 Lead-based paint requirements.

### **Subpart D—Project Management**

- 891.400 Responsibilities of owner.
- 891.405 Replacement reserve.
- 891.410 Selection and admission of tenants.
- 891.415 Obligations of the household or family.
- 891.420 Overcrowded and underoccupied units.
- 891.425 Lease requirements.
- 891.430 Denial of admission, termination of tenancy, and modification of lease.
- 891.435 Security deposits.
- 891.440 Adjustment of utility allowances.
- 891.445 Conditions for receipt of vacancy payments for assisted units.